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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WILNELIA CRUZ, SUSAN JACKSON,
DEBORAH MCNEILL, ROBERT NOURSE, LUIS
TORRES, and MARILYN WALTO,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF HEALTH
AND HUMAN SERVICES, though ALEX M.
AZAR II, in his official capacity as Secretary of the
United States Department of Health and Human
Services,

ORGAN PROCUREMENT AND
TRANSPLANTATION NETWORK, and
UNITED NETWORK FOR ORGAN SHARING,
Defendants.

Case No. 18-cv-06371

**NOTICE OF MOTION
FOR LEAVE TO INTERVENE AS DEFENDANT**

PLEASE TAKE NOTICE that the State of Kansas, by their counsel Polsinelli, P.C., will move this Court for leave to intervene as a defendant as-of-right pursuant to F.R.C.P. 24(a), or, in the alternative, for permissive intervention under F.R.C.P. 24(b).

PLEASE TAKE FURTHER NOTICE that the State of Kansas will rely upon the Memorandum of Law submitted concurrently herewith, and upon all pleadings and proceedings on file herein;

PLEASE TAKE FURTHER NOTICE that, opposing papers, if any, shall be served at least fourteen (14) days prior to the motion day; and

PLEASE TAKE FURTHER NOTICE that, reply affidavits and reply memoranda of law shall be served at least seven (7) days prior to the motion day.

Dated: New York, New York
July 16, 2018

POLSINELLI PC

By: /s/ Jason A. Nagi

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CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of July, 2018, I electronically filed the foregoing *Notice of Motion for Leave to Intervene* with the Clerk of Court using the ECF which will send notification of such filing to all counsel of record

/s/ Jason A. Nagi